

Looten, Kathy

From: Riley, Claudette <criley@springfi.gannett.com>
Sent: Thursday, June 25, 2015 10:14 AM
To: Looten, Kathy
Subject: Sunshine Law request #1

June 25, 2015

Kathy Looten
Custodian of Records, Springfield Public Schools
1359 St. Louis St.
Springfield, MO 65802

RE: Sunshine Request – delivered via email

I am requesting the following information under the Missouri Sunshine Law, Chapter 610, Revised Statutes of Missouri:

- Copies of any and all school police incident reports involving weapons that are prohibited in schools as outlined by the Safe Schools Act during the 2014-15 school year

I request that the records be provided in an electronic database or spreadsheet format and that all fees for copies be waived. I ask for this waiver because the information obtained under this request will be used in the public interest and is "likely to contribute significantly to public understanding" of government operations and is not primarily in the commercial interest of myself or the news organization I represent, as defined under RSMo 610.026.1(1).

If costs are involved and are expected to exceed \$50, please contact me before proceeding at one of the phone numbers below.

If portions of the requested records are exempt from disclosure, the state Sunshine Law requires you to segregate those portions and release the remainder of the records. The state law also requires you to justify all deletions in writing by citing specific statutory exemptions.

If you have any questions regarding this request, please do not hesitate to contact me using the addresses or telephone numbers listed below. Thank you for your prompt attention to this request.

Sincerely,

CLAUDETTE RILEY

Education reporter
Office: 417-836-1240
Cell: 417-225-0210
Criley@news-leader.com
@CrileyNL

Looten, Kathy

From: Riley, Claudette <criley@springfi.gannett.com>
Sent: Thursday, June 25, 2015 10:17 AM
To: Looten, Kathy
Subject: Sunshine Law request #2

June 25, 2015

Kathy Looten
Custodian of Records, Springfield Public Schools
1359 St. Louis St.
Springfield, MO 65802

RE: Sunshine Request – delivered via email

I am requesting the following information under the Missouri Sunshine Law, Chapter 610, Revised Statutes of Missouri:

- Copies of any and all school police incident reports involving drug possessions and distribution during the 2014-15 school year

I request that the records be provided in an electronic database or spreadsheet format and that all fees for copies be waived. I ask for this waiver because the information obtained under this request will be used in the public interest and is “likely to contribute significantly to public understanding” of government operations and is not primarily in the commercial interest of myself or the news organization I represent, as defined under RSMo 610.026.1(1).

If costs are involved and are expected to exceed \$50, please contact me before proceeding at one of the phone numbers below.

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If you have any questions regarding this request, please do not hesitate to contact me using the addresses or telephone numbers listed below. Thank you for your prompt attention to this request.

Sincerely,

CLAUDETTE RILEY

Education reporter
Office: 417-836-1240
Cell: 417-225-0210
Criley@news-leader.com
@CrileyNL

Looten, Kathy

From: Riley, Claudette <criley@springfi.gannett.com>
Sent: Thursday, June 25, 2015 10:18 AM
To: Looten, Kathy
Subject: Sunshine Law request #3

June 25, 2015

Kathy Looten
Custodian of Records, Springfield Public Schools
1359 St. Louis St.
Springfield, MO 65802

RE: Sunshine Request – delivered via email

I am requesting the following information under the Missouri Sunshine Law, Chapter 610, Revised Statutes of Missouri:

- Copies of any and all school police incident reports involving reports of assaults of staff and teachers by students during the 2014-15 school year

I request that the records be provided in an electronic database or spreadsheet format and that all fees for copies be waived. I ask for this waiver because the information obtained under this request will be used in the public interest and is "likely to contribute significantly to public understanding" of government operations and is not primarily in the commercial interest of myself or the news organization I represent, as defined under RSMo 610.026.1(1).

If costs are involved and are expected to exceed \$50, please contact me before proceeding at one of the phone numbers below.

If portions of the requested records are exempt from disclosure, the state Sunshine Law requires you to segregate those portions and release the remainder of the records. The state law also requires you to justify all deletions in writing by citing specific statutory exemptions.

If you have any questions regarding this request, please do not hesitate to contact me using the addresses or telephone numbers listed below. Thank you for your prompt attention to this request.

Sincerely,

CLAUDETTE RILEY

Education reporter
Office: 417-836-1240
Cell: 417-225-0210
Criley@news-leader.com
[@CrileyNL](#)



Helping today's kids fill tomorrow's promise.

John E. Jungmann, Ed.D.
Superintendent

July 8, 2014

Ms. Claudette Riley
c/o The Springfield News-Leader
651 N. Boonville Ave.
Springfield, MO 65806

Dear Ms. Riley:

This letter will respond to your emails dated Thursday, June 25, 2015, which were received by me that day. Your requests asks for certain public records pursuant to the Missouri Sunshine Statute as follows:

Request #1:

“Copies of any and all school police incident reports involving weapons that are prohibited in schools as outlined by the Safe Schools Act during the 2014-15 school year”

Request #2:

“Copies of any and all school police incident reports involving drug possessions and distribution during the 2014-15 school year”

Request #3:

“Copies of any and all school police incident reports involving reports of assaults of staff and teachers by students during the 2014-15 school year”

In order to be subject to disclosure under the Missouri Sunshine Law, documents must constitute “public records” of the “public governmental body.” In the case of the School District of Springfield, R-12, the “public governmental body” is the Board of Education for the School District of Springfield, R-12. The term “public governmental body” also includes certain other defined entities, including:

“(e) Any committee appointed by or at the direction of any of the entities and which is authorized to report to any of the above-named entities, any advisory committee appointed by or at the direction of any of the named entities for the specific purpose of recommending, directly to the public governmental body’s governing board or its chief administrative officer, policy or policy revisions or expenditures of public funds . . .”

The term "public records" is defined in Section 610.010(6) RSMo. as follows:

(6) "Public record", *any record*, whether written or electronically stored, *retained by or of any public governmental body* including any report, survey, memorandum, or other document or study *prepared and presented to the public governmental body* by a consultant or other professional service paid for in whole or in part by public funds; provided, however, that personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years. *The term "public record" shall not include any internal memorandum or letter received or prepared by or on behalf of a member of a public governmental body consisting of advice, opinions and recommendations in connection with the deliberative decision-making process of said body, unless such records are retained by the public governmental body or presented at a public meeting.*" [emphasis added]

Generally, the District will not provide you with any public documents which may be encompassed by your request and which are closed records under the Sunshine Law, Section 610.021 RSMo.

"610.026. Fees for copying public records, limitations--fee money remitted to whom--tax, license or fee as used in Missouri Constitution Article X section 22 not to include copying fees

1. Except as otherwise provided by law, each public governmental body shall provide access to and, upon request, furnish copies of public records subject to the following:

(2) Fees for providing access to public records maintained on computer facilities, recording tapes or disks, videotapes or films, pictures, maps, slides, graphics, illustrations or similar audio or visual items or devices, and for paper copies larger than nine by fourteen inches shall include only the cost of copies, staff time, which shall not exceed the average hourly rate of pay for staff of the public governmental body required for making copies and programming, if necessary, and the cost of the disk, tape, or other medium used for the duplication. Fees for maps, blueprints, or plats that require special expertise to duplicate may include the actual rate of compensation for the trained personnel required to duplicate such maps, blueprints, or plats. If programming is required beyond the customary and usual level to comply with a request for records or information, the fees for compliance may include the actual costs of such programming."

With this explanation in mind, the Board responds as follows to your requests:

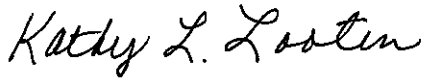
Your requests total 114 incident reports. We estimate that the cost of the search, retrieval, redacting, and copying of these documents will be no more than three hundred and seventy five dollars (\$375.00). At the conclusion of the process, the District will provide you with an itemized list of costs. If our estimate is high, the District will return that portion of your payment.

If you want only the drug possession and distribution reports, they total 68 reports (60 possession and 8 distribution) and that would drop the cost to one hundred and ninety dollars (\$190.00).

If you wish to have the District engage in a search for your request of incident reports, then the District will need a check prior to starting the search, retrieval, redacting, and copying process. Once the check is processed, the search, retrieval, redacting, and copying process will begin and should take no more than two weeks.

Thank you for your request.

Sincerely,



Kathy L. Looten
Executive Office Liaison/District Records Custodian

cc: Ransom A Ellis, III